

PROCESS RECEIPT AND RETURN
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF UNITED STATES OF AMERICA

COURT CASE NUMBER RECEIVED
CA 04-303 Erie US MARSHAL

DEFENDANT

LARRY W. LAFFERTY & BETH A LAFFERTY

TYPE OF PROCESS
NOTICE OF EXECUTION

2006 AUG 24 A 11:35

SERVE
AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

BETH A. LAFFERTY

ERIE, PA

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

4230 S. WASHINGTON STREET, NORTH EAST, PA 16428

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

BERNSTEIN LAW FIRM, P.C.
SUITE 2200 GULF TOWER
PITTSBURGH, PA 15219

Number of process to be
served with this Form 285

Number of parties to
served in this case

Check for service
on U.S.A.

2006 OCT 27 P 2:00
RECEIVED
U.S. MARSHAL

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

PLEASE MAKE SERVICE BY POSTING PER COURT ORDER. MUST POST BEFORE 10-19-06 Fold
WHICH IS 30 DAYS BEFORE DATE OF SALE. WHEN FILING YOUR RETURN ON THIS FORM 285,
PLEASE ATTACH EXTRA COPIES OF DOCUMENTS WHICH WE PROVIDE HEREWITH.

Signature of Attorney other Originator requesting service on behalf of:

☐ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER
412-456-8100

DATE
8-10-06

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total
number of process indicated.
(Sign only for USM 285 if more
than one USM 285 is submitted)

Total Process

District of
Origin

No.

District to
Serve

No.

Signature of Authorized USMS Deputy or Clerk

Date

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion
then residing in defendant's usual place
of abode

Address (complete only different than shown above)

Date 10/12/06 Time 9:00 am
☒ am
☐ pm

Signature of U.S. Marshal or Deputy

Service Fee

45.00

Total Mileage Charges
including endeavors)

11.34

Forwarding Fee

Total Charges

56.34

Advance Deposits

Amount owed to U.S. Marshal
(Amount of Refund*)

56.34

REMARKS:

To Erie 8-22-06
10/18 - START 8:30AM, 10USM To Pittsburgh 10:25 PM
END 9:30AM

PRIOR EDITIONS
MAY BE USED

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

FORM USM-285
Rev. 12/15/80
Automated 01/00

PROCESS RECEIPT AND RETURN

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TYPE OF PROCESS
NOTICE OF EXECUTION

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AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

BETH A. LAFFERTY

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

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☐ A person of suitable age and discretion
then residing in defendant's usual place
of abode

Address (complete only different than shown above)

Date

Time

☐ am
☐ pm

Signature of U.S. Marshal or Deputy

Service Fee

Total Mileage Charges
including endeavors)

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal or
(Amount of Refund*)

REMARKS: TO Erie 8-22-06

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FORM USM-285
Rev. 12/15/80
Automated 01/00

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs

Civil Action No 04-303-Erie
Misc No.

LARRY W LAFFERTY and
BETH A LAFFERTY

Defendants

ORDER OF COURT

AND NOW, to wit, this _____ day of _____, 2005 upon consideration of Plaintiff's Motion for Alternative Service, it is hereby ORDERED, ADJUDGED AND DECREED that service in this case shall be made on the Defendant, Beth A Lafferty, by posting the mortgaged property known as 4230 S Washington Street, North East, PA 16428 and by regular mail to Defendant Beth A Lafferty's last known mailing address of 3211 Skellie Avenue, Erie, PA 16510

BY THE COURT:

Sean J.
McLaughlin

Digitally signed by Sean J.
McLaughlin
DN: CN = Sean J. McLaughlin, C
= US
Date: 2005.09.07 16:12:21 -04'00'

Marshal Costs	\$ 273.63
Attorney Fees	\$ 915.00
Total	\$113,268.33

Plus interest from May 11, 2006 the date of Judgment at the legal rate and future costs to be added

CLERK OF COURT

R.V. Barth, Jr.

Beverly L. Maye
DEPUTY CLERK

Seal of the Court

Date: Aug. 18, 2006

FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff,

vs.

Civil Action No. 04-303Erie

LARRY W. LAFFERTY AND

BETH A. LAFFERTY

Defendants

NOTICE OF MARSHAL'S SALE OF REAL ESTATE

To: BETH A. LAFFERTY
4230 S WASHINGTON STREET
NORTH EAST, PA 16428

This is to notify you that the real estate owned by Larry W. Lafferty and Beth A. Lafferty and more fully described below, will be sold at United States Marshal's Sale on **November 20, 2006 at 9:30 am**. The sale will take place at the **Erie County Courthouse Erie, Pennsylvania**. The property being sold is: 4230 S Washington Street North East, Pennsylvania 16428.

All that certain piece or parcel of land situate in the Township of North East, County of Erie and the State of Pennsylvania, and being Lot No. Four (4) as set forth in the plan of Country Creek Subdivision Phase I as recorded in Erie County Map Book 35, at Page 124, to which plan reference is hereby made for a further description thereof: being commonly known and municipally numbered as 4230 South Washington Street, North East, Pennsylvania, and bearing Erie County Tax Index No. (37) 23-91-14.04.

BEING the same premises conveyed to Larry W. Lafferty and Beth A. Lafferty by deed dated October 11, 1990 and recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Deed Book Volume 140, Page 418 on October 12, 1990.

All parties interested and claimants are hereby given notice that a schedule for distribution will be filed by the United States Marshal for the Western District of Pennsylvania not later than 30 (thirty) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Claims against property must be filed at the office of the United States Marshal before above sale date.

Claims to proceeds must be made with the Office of the United States Marshal before distribution.

Attached hereto is a copy of the Writ of Execution. It has been issued because there is a Judgment against you. It may cause your property to be held or taken to pay the Judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you

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YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL ADVICE.

Lawyer Erie County Referral Service
302 West Ninth Street
Erie, PA 16502-1427
Telephone: 814-459-3111

You may have legal rights to prevent the Marshal's Sale and the loss of your property. In order to exercise those rights, prompt action on your part is necessary. A lawyer may be able to help you.

You may have the right to prevent or delay the Marshal's Sale by filing, before the sale occurs, a Motion to Open or Strike the Judgment or a Petition to Stay the Execution.

If the Judgment was entered because you did not file with the Court a defense or objection you might have had within sixty (60) days after a Notice of Lawsuit and Request for Waiver of Service was sent to you or within twenty (20) days after personal service of the Complaint, you may have a right to have the Judgment opened if you promptly file a Motion with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the Judgment is opened, the Sale would ordinarily be delayed pending a trial of the issue of whether the Plaintiff has a valid claim entitling it to foreclose upon or sell the real property.

You may also have the right to have the Judgment stricken if there has not been valid service of the Complaint or if the Judgment was entered before sixty (60) days after service of Notice Lawsuit and Request for Waiver of Service of Summons was sent to you or within twenty (20) days after personal service of the Complaint or in certain other events. To exercise this right, you would have to file a Motion to Strike the Judgment.

If Judgment was entered against you by confession, you may not have certain of the rights set forth above, but you still may have the right to move to have the Confessed Judgment opened or stricken on proper grounds.

You may also have the right to Petition the Court to stay or delay the execution and Marshal's Sale if you can show a defect in the Writ of Execution or service or demonstrate any other legal or equitable right.

You may also have the right to have the Marshal's Sale set aside if the property is sold for a grossly inadequate price or if there are defects in the Marshal's Sale. To exercise this right, you should file a Petition with the Court after the sale and before the Marshal has delivered his Deed to the property. The Marshal will deliver the Deed if no Petition to Set Aside the Sale is filed within 10 (ten) days from the date when the Schedule of Distribution is filed in the office of the Marshal.

Respectfully submitted,
BERNSTEIN LAW FIRM, P.C.

By: 

Lori A. Gibson, Esquire
Attorney for Plaintiff

PA I.D. #68013

Suite 2200 Gulf Tower

Pittsburgh, PA 15219

DIRECT DIAL: (412) 456-8100